IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 21880 of 2006(D)

PETITIONER:

1.K.N.SIVARAMA PILLAI, AGED 81,
SYAMA BHAVAN, ARUNNOOTTIMANGALAM,
MANGAD.P.O., KOLLAM.(DIED)

LEGAL HEIRS OF THE PETITIONER IMPLEADED :

2.SYAMA PRASAD S., PANCHAMI, KOTTOOR COMPOUND,
UNIVERSITY COLLEGE P.O., THIRUVANANTHAPURAM.

3.JAYALEKSHMI S., KALINDI, NANMA NAGAR,
MANGAD P.O., KOLLAM.

4.HARIPRASAD S., VAISALA, VIKAS NAGAR,
TKM COLLEGE P.O., KOLLAM.

4.AJITH PRASAD S., KRISHNA VILASOM,
EAST OF COURT, VANCHIYOOR P.O., THIRUVANANTHAPURAM-35.
(IMPLEADED AS PER ORDER DT. 6.11.2007 IN I.A.13709/07)

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, TAXES (B) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE ADDITIONAL COMMERCIAL TAX OFFICER,
KUNDARA, KOLLAM.

3. THE TAHSILDAR (R.R),
KOLLAM.

BY GOVERNMENT PLEADER SRI.TEKCHAND.
SRI.S.SANTHOSH KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.21880/06

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 :TRUE COPY OF THE CHALAN RECEIPT DT. 8.11.2002.

EXT.P2 : TRUE COPY OF N OTICE NO.D8-241/99, D8-1582/99, D8-6162/02 DT. 26.9.2003 OF THE THIRD RESPONDENT.

EXT.P3 : TRUE COPY OF THE JUDGMENT DT. 11.12.2003 IN W.P.C.NO.39104/03.

EXT.P4 : TRUE COPIES OF THE RECEIPTS ISSUED BY THE THIRD RESPONDENT.

EXT.P5 : TRUE COPIES OF THE CHALAN RECEIPTS ISSUED BY THE 2ND RESPONDENT.

EXT.P6 TRUE COPY OF REPORT DT. 18.7.2006 OF THE VILLAGE OFFICER, MANGAD TO THE THIRD RESPONDENT.

TGS

KURIAN JOSEPH J.

Writ Petition (Civil) No.21880 of 2006

Dated 6th November, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "To issue a writ of mandamus or any other appropriate writ or order directing the respondents to lift the attachment effected as per Ext.P2 notice of attachment;
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> (ii) To issue a writ of mandamus or any other appropriate writ or order directing the 2nd respondent to give credit the remittance made by the petitioner and to report the 3rd respondent the satisfaction of the demand against the petitioner."

During the pendency of the writ petition, the writ petitioner died and his legal heirs have been impleaded. All that the petitioner seeks is a direction to the second respondent to look into the grievance of the petitioner regarding computation of the balance amount. The writ petition is hence disposed of directing the 2nd respondent to look into the grievance of the petitioner, with notice to the additional petitioners and take appropriate action thereon in accordance with law, within a period of two months from the date of production of a copy of the judgment before the 2nd respondent. The additional petitioners shall also be issued a statement of accounts. If there is any outstanding liability, they

shall be permitted to clear the same in six equal monthly intalments.

KURIAN JOSEPH, JUDGE.

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